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09/801,815	03/09/2001	Masahito Yamamoto	862.C2144	5395

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EXAMINER

PHAM, THIERRY L

ART UNIT PAPER NUMBER

2625

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/801,815

Applicant(s)

YAMAMOTO, MASAHIRO

Examiner

Thierry L. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,10-17,19,25-30,46,48 and 53-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,10-17,19,25-30,46,48 and 53-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 3/8/06.
- Claims 1-2, 4, 10-17, 19, 25-30, 46, 48, 53-61 are pending; claims 3, 5-9, 18, 20-24, 31-45, 47, 49-52 have been canceled.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4, 16-17, 19, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al (EP 975145), and in view of Beser (US 6370147).

Regarding claim 1, Yamamoto discloses a system (data communication print system, fig. 1) comprising:

- a generating unit that generates (host computer 4 of fig. 1 for generating transfer path profile as shown in fig. 10) transfer information (transfer path profile #2, fig. 10, fig. 8 shows how a transfer path profile is generated, col. 5, lines 48-50) describing a combination of a plurality of devices (i.e. input and output devices such as scanners and printers respectively, figs. 9-10, for example, SCAN 5 to LP5-3 and LP5-1) on the basis of device information (i.e. device profile information, fig. 7) corresponding to each of the plurality of devices (for each devices connected via a network, fig. 1);
- an operation unit that causes (user control console, figs. 8-13, cols. 13-16) a user to select transfer information from the generated transfer information;
- a reception unit that carries (receiving input data from scanner via network, fig. 1, cols. 13-16) image data from an input device represented by the selected transfer information on the basis of the selected transfer information (fig. 10 shows a transfer path profile for transmitting image data SCAN 5 to LP5-3 and LP5-1); and

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- a transmission unit that transmits (transmitting image data from scanner to printer via network, fig. 1, cols. 13-16) the received image data to an output device (laser printer, fig. 1 and fig. 4) represented by the selected transfer information on the basis of the selected transfer information (based upon transfer path profile, i.e., "copy scan 5 to LP5-3", fig. 10).

Yamamoto also discloses device information (device profile, fig. 7) includes a transfer protocol such as FTP, and LPD, but fails to teach and/or suggest whether this device is actively and/or passively starts data communication with an external device in accordance with an instruction from the external device.

Beser, in the same field of endeavor for data communication system, teaches network devices such as printer and facsimile machine categorized as passively starts data communication (abstract, figs. 19-21 and col. 3, lines 5-20) and cable modem categorized as actively starts data communication (fig. 19, col. 27, lines 33-40) with external device in accordance with an instruction from the external device.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made by modifying the device profile (fig. 7) of Yamamoto to include an indication that device profile as shown in fig. 7 is a passive device as taught by Beser because of a following reason: (●) the method allows passive network devices without implementing a dynamic host configuration protocol (abstract, Beser); (●) to accurately label which devices connected via a network is a passively and/or actively executing data communication; by doing so, it allows the system of Yamamoto to search efficiently, for example, searching devices profile that only passively executes data communication.

Therefore, it would have been obvious to combine Yamamoto with Beser to obtain the invention as specified in claim 1.

Regarding claim 2, Yamamoto further discloses the system according to claim 1, wherein said reception unit transmits the selected transfer information (transfer path profile, fig. 10) to the first device in order to control the first device, and said transmission unit (network, fig. 1) transmits the selected transfer information to the second device in order to control the second device.

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Regarding claim 4, Yamamoto further discloses the system according to claim 1, wherein the transfer information contains a protocol (transfer protocol, fig. 10) used to transfer the data, a data format (data format, fig. 10) of the data to be transferred, and an address (network address, fig. 10) representing a destination to which the data is to be transferred (fig. 10).

Regarding claims 16-17, 19: Claims 16-17, 19 are the methods corresponding the apparatus and recite limitations that are similar and in the same scope of invention as to those in claims 1-2, 4 (respectively); therefore, claims 16-17, 19 are rejected for the same rejection rationale/basis as described in claims 1-2, 4 above.

Regarding claim 46: Claim 46 recite limitations that are similar and in the same scope of invention as to those in claim 1 except computer readable memory for storing computer programs. All computers/printers have some type of computer readable medium (i.e. RAM 41, fig. 5 of Yamamoto) for storing computer programs, hence claim 46 would be rejected using the same rationale as in claim 1.

Regarding claim 53, Yamamoto discloses a system, comprising:

- a generating unit (host computer 4 of fig. 1 for generating transfer path profile as shown in fig. 10) that generates transfer information (transfer path profile #2, fig. 10, fig. 8 shows how a transfer path profile is generated, col. 5, lines 48-50) describing a combination of a plurality of devices (i.e. input and output devices such as scanners and printers respectively, figs. 9-10, for example, SCAN 5 to LP5-3 and LP5-1) on the basis of device information corresponding to each of the plurality of devices;
- an operation unit (user control console, figs. 8-13, cols. 13-16) that causes a user to select a desired transfer information from the generated transfer information;
- a reception unit (receiving input data from scanner via network, fig. 1, cols. 13-16) that executes data communication with a first device represented by the selected transfer

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information in accordance with an instruction from the first device, to receive image data from the first device; and

- transmission unit (transmitting image data from scanner to printer via network, fig. 1, cols. 13-16) that executes data communication with a second device (laser printer, fig. 1 and fig. 4) represented by the selected transfer information (based upon transfer path profile, i.e., "copy scan 5 to LP5-3", fig. 10) in accordance with an instruction from the second device, to transmit the received image data to the second device.

Yamamoto also discloses device information (device profile, fig. 7) includes a transfer protocol such as FTP, and LPD, but fails to teach and/or suggest whether this device is actively and/or passively starts data communication with an external device in accordance with an instruction from the external device.

Beser, in the same field of endeavor for data communication system, teaches network devices such as printer and facsimile machine categorized as passively starts data communication (abstract, figs. 19-21 and col. 3, lines 5-20) and cable modem categorized as actively starts data communication (fig. 19, col. 27, lines 33-40) with external device in accordance with an instruction from the external device.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made by modifying the device profile (fig. 7) of Yamamoto to include an indication that device profile as shown in fig. 7 is a passive device as taught by Beser because of a following reason: (●) the method allows passive network devices without implementing a dynamic host configuration protocol (abstract, Beser); (●) to accurately label which devices connected via a network is a passively and/or actively executing data communication; by doing so, it allows the system of Yamamoto to search efficiently, for example, searching devices profile that only passively executes data communication.

Therefore, it would have been obvious to combine Yamamoto with Beser to obtain the invention as specified in claim 53.

Regarding claim 54, Yamamoto further teaches the system according to claim 53, further comprising an acquisition unit (server 5 for acquiring transfer path profile, fig. 10,

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cols. 14-16) that acquires the selected transfer information in order to receive the image data from the first device and transmit the image data to the second device.

Regarding claim 55, Yamamoto further teaches the system according to claim 53, wherein the transfer information contains a protocol (transfer protocol, fig. 10) used to transfer the data, a data format (data format, fig. 10) of the data to be transferred, and an address (network address, fig. 10) representing a destination to which the data is to be transferred.

Regarding claim 56, Yamamoto further teaches the system according to claim 53, further comprising an identification information reception unit (management server 103, fig. 29) that receives first identification information for identifying the generated transfer information (transfer path profile #2, fig. 10, fig. 8 shows how a transfer path profile is generated, col. 5, lines 48-50) from the first device and receives second identification information for identifying the generated transfer information, wherein said transmission unit transmits the image data if the second identification information corresponds to the first identification information (fig. 14).

Regarding claims 57-60: Claims 57-60 are the methods corresponding the apparatus and recite limitations that are similar and in the same scope of invention as to those in claims 53-56 (respectively); therefore, claims 57-60 are rejected for the same rejection rationale/basis as described in claims 53-56 above.

Claims 10-15, 25-30, 48, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al (EP 975145) and Kim (US 6674535).

Regarding claim 10, Yamamoto discloses a system (data communication print system, fig. 1) comprising:

- a generating unit (host computer 4 of fig. 1 for generating transfer path profile as shown in fig. 10) that generates transfer information describing a combination of a plurality of devices on the basis of device information corresponding to each of the

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plurality of devices (i.e. input and output devices such as scanners and printers respectively, figs. 9-10, for example, SCAN 5 to LP5-3 and LP5-1), the plurality of devices including a proxy device which converts a first data type of image data (converting scanned image data to PDL, col. 28, lines 5-12) to a second data type of image data (PDL such as LIPSIV, fig. 10), a first device (SCAN 5, fig. 10) which can transmit image data of (the system as shown in figs. 1 & 10 includes a device for converting input image data into an output image data such as LIPSIV, col. 28, lines 5-12), and a second device (LP5-3, fig. 10) which can process image data of the second data type;

- a reception unit (receiving input data from scanner via network, fig. 1, cols. 13-16) that, at the proxy device represented by the acquired transfer information, receives the image data of the first data type from the first device represented by the generated transfer information through a network;
- a conversion unit that, at the proxy device (the system as shown in figs. 1 & 10 includes a proxy device for converting input image data into an output image data such as LIPSIV that is readable by output device) represented by the generated transfer information, converts a data format of the received image data of the first data type to the image data of the second data type; and
- a transmission unit (transmitting image data via network, fig. 1, cols. 13-16) that transmits the converted image data from the proxy device represented by the generated transfer information to the second device represented by the generated transfer information through a network.

Yamamoto teaches a printer device (second device) that receives image data from a scanner input device (first device), but fails to explicitly teach and/or suggest wherein second device cannot process image data of the first data type but can process image data of the second data type.

Kim, in the same field of endeavor for printing, teaches a well-known example of converting inputted image data to second format that is readable by the printer device (converting inputted image data into a format such as PDL, PCL, and PCS that is



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readable by printer device, col. 1, lines 20-35, in addition, it is well known in the art that printer device can only processes language that has been converted to its format).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Yamamoto's printing system to convert first data type to a second data type that is readable by second device taught by Kim because of a following reason: (●) converting first data type (i.e. JPEG format scanned by scanner device) to a second data type (PDL such as LIPSIV) that is readable by a second device (printer) helps improve overall's operating efficiency of the printing's system; (●) creating a format that is readable by the printer helps the printing process quicker, for example, converting to image data to PDL, PCL, PCS, and etc. In addition, it is well known in the art that printer can only process image data type that has been converted to a printable format.

Therefore, it would have been obvious to combine Yamamoto with Kim to obtain the invention as specified in claim 10.

Regarding claim 11, Yamamoto further discloses the device according to claim 10, further comprising announcement unit that annouces (confirmation means, figs. 8-14, cols. 13-16) to the network, information representing a data type receivable by said reception means and information representing a data type transmittable by said transmission means.

Regarding claim 12, Yamamoto further disclose the device according to claim 10, wherein said conversion unit performs at least one of conversion of the data format (i.e. lipsiv data format, fig. 10 and fig. 23), conversion of an image resolution, and conversion of an image depth (fig. 10).

Regarding claim 13, Yamamoto further discloses the device according to claim 10, wherein said conversion unit performs at least one of image trimming, image enlargement, image reduction, image deformation, image edge extraction, and image color conversion (converting image data into specified resolution, figs. 23-24).

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Regarding claim 14, Yamamoto further discloses the device according to claim 10, wherein said conversion unit performs at least one of conversion of the image data to coded data by encoding processing such as character recognition, conversion of the image data to a structured image format by image region separation processing and encoding processing, and conversion of coded data to the image data by rasterization image processing (rasterization, col. 21).

Regarding claim 15, Yamamoto further discloses the device according to claim 10, wherein said conversion unit performs conversion of a data compression scheme (JPEG compression, figs. 23-25) or conversion of a data compression ratio.

Regarding claims 25-30: Claims 25-30 are the methods corresponding to the apparatus and recite limitations that are similar and in the same scope of invention as to those in claims 10-15; therefore, claims 25-30 are rejected for the same rejection rationale/basis as described in claims 10-15 above.

Regarding claim 48: Claim 48 recites limitations that are similar and in the same scope of invention as to those in claim 10 except computer readable memory for storing computer programs. All computers/printers have some type of computer readable medium (i.e. RAM 41, fig. 5 of Yamamoto) for storing computer programs, hence claims 48 would be rejected using the same rationale as in claim 10.

Regarding claim 61, Yamamoto further teaches the system according to claim 10, wherein the first data type is JPEG (fig. 7) and the second data type is LIPSIV (fig. 10).

### ***Response to Arguments***

Applicant's arguments filed 3/8/06 have been fully considered but they are not persuasive.

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- Regarding claims 1, 16, and 46, the applicant argued the cited prior arts of record (US 6370147 and EP 975145) fails to teach and/or suggest the device information of each device in a network indicates that the device passively and/or actively executes data communication with external devices.

In response, Beser explicitly teaches an example of device information indicates whether a device is passive or active device. For example, network devices such as printer and facsimile machine categorized as passively starts data communication (abstract, figs. 19-21 and col. 3, lines 5-20) and cable modem categorized as actively starts data communication (fig. 19, col. 27, lines 33-40) with external device in accordance with an instruction from the external device. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to indicate on a transfer path profile (as taught by Yamamoto) which device is active or passive device as taught by Beser.

- Regarding claims 10, 25, and 48, the applicant argued the cited prior art of record (EP 975145) fails to teach and/or suggest newly added features/limitations “where the second device can not process image data of the first data type but can process image data of the second data type) as cited in claims 10, 25, and 48.

In response, the examiner notes to the applicant that the limitations/features as argued are not previously cited in claims 10, 25, and 48.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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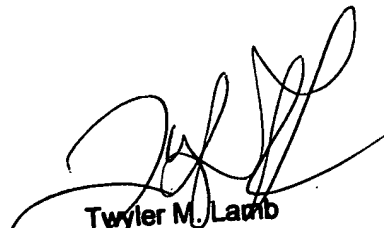
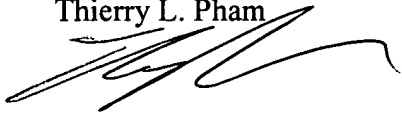
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



Twyler M. Lamb  
Supervisory Patent Examiner